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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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8 UNITED STATES OF AMERICA,

9 NO. CR11-231-RAJ

10 Plaintiff,

11 v.

12 ALICIA KATHLEEN CRUZ,

13 Defendant.

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SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on March 11, 2013. The United States was represented by Assistant United States Attorney Seth Wilkinson, and the defendant by Paula Deutsch.

The defendant had been charged and convicted of Escape, in violation of 18 U.S.C. § 751(a). On or about September 23, 2011, defendant was sentenced by the Honorable Richard A. Jones, to a term of 12 months and 1 day in custody, to be followed by 3 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in substance and mental health programs, financial disclosure, restitution, submit to search, and participate in Moral Reconation Therapy.

1 In a Petition for Warrant or Summons, dated October 29, 2012, U.S. Probation Officer
2 Jennifer Van Flandern asserted the following violations by defendant of the conditions of her
3 supervised release:

- 4 (1) Committing the crime of fraud on or about October 23, 2012, in Federal
5 Way, Washington, in violation of the general condition that she not commit
6 a federal, state, or local crime.
- 7 (2) Using methamphetamine, on or about October 23, 2012, in violation of
8 standard condition number seven.
- 9 (3) Associating with Jason Michael Abrahamson and Katrina Lacey, on or
10 about October 23, 2012, both of whom were engaged in criminal activity
11 and known felons, in violation of standard condition number nine.

12 In a Supplemental Violation Report dated February 5, 2013, U.S. Probation Officer
13 Jennifer Van Flandern asserted the following violations by defendant of the conditions of her
14 supervised release.

- 15 (4) Committing the crime of fraud on or about October 27, 2012, in Bainbridge
16 Island, Washington, in violation of the general condition that she not
17 commit a federal, state, or local crime.
- 18 (5) Committing the crime of fraud on or about November 15, 2012, in Reno,
19 Nevada, in violation of the general condition that she not commit a federal,
20 state, or local crime.
- 21 (6) Leaving the judicial district on or about October 30, 2012, without
22 permission from the Court or the probation officer, in violation of standard
23 condition number 1.
- 24 (7) Associating with Eric Podelick, in or about October and November 2012,
25 an individual who was engaged in criminal activity and a know felon, in
26 violation of standard condition number 9.

1 On December 20, 2012 and February 15, 2013, defendant made her initial appearances.
2 The defendant was advised of her rights and acknowledged those rights. On March 11, 2013,
3 this matter came before the Court for an evidentiary hearing. Defendant admitted to violations
4 2 and 6. Defendant denied alleged violations 1, 3, 4, 5 and 7 and requested that an evidentiary
5 hearing be set on the same day as a disposition hearing before the Honorable Richard A. Jones.

6 I therefore recommend that the Court find the defendant to have violated the terms and
7 conditions of her supervised release as to violations 2 and 6 and that the Court conduct an
8 evidentiary/disposition hearing on alleged violations 1, 3, 4, 5 and 7. A disposition hearing on
9 violations 2 and 6, and an evidentiary/disposition hearing on alleged violations 1, 3, 4, 5 and 7,
10 has been set for April 18, 2013 at 11:00 a.m. before the Honorable Richard A. Jones.

11 Pending a final determination by the Court, the defendant has been detained.

12 DATED this 13th day of March, 2013.

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14 JAMES P. DONOHUE
15 United States Magistrate Judge

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17 cc: District Judge: Honorable Richard A. Jones
18 AUSA: Seth Wilkinson
19 Defendant's attorney: Paula Deutsch
20 Probation officer: Jennifer Van Flandern
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